

STEPHEN C. STEINBERG (SBN 230656)
ssteinberg@bzbm.com

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation
One Embarcadero Center, Suite 800
San Francisco, California 94111
Telephone: (415) 956-1900
Facsimile: (415) 956-1152

MARK S. PALMER (SBN 203256)
mark@palmerlex.com

4 Meadow Drive
Mill Valley, CA 94941
Telephone: (415) 336.7002
Facsimile: (415) 634-1671

Attorneys for Defendants and Counter-Claimants
PAUL REICHE III and ROBERT FREDERICK FORD

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

STARDOCK SYSTEMS, INC.,

Plaintiff,

v.

PAUL REICHE III and ROBERT
FREDERICK FORD,

Defendants.

Case No. 4:17-CV-07025-SBA

**STIPULATION AND [PROPOSED]
ORDER REGARDING BRIEFING
SCHEDULE ON PLAINTIFF STARDOCK
SYSTEMS, INC.'S MOTION FOR
PRELIMINARY INJUNCTION**

PAUL REICHE III and ROBERT
FREDERICK FORD,

Counter-Claimants,

v.

STARDOCK SYSTEMS, INC.,

Counter-Defendant.

Complaint Filed: Dec. 8, 2017

Trial Date: June 24, 2019

1 Plaintiff and Counter-Defendant Stardock Systems, Inc. (“Stardock”) and Defendants and
2 Counter-Claimants Paul Reiche III and Robert Frederick Ford (collectively, “Reiche/Ford”)
3 hereby jointly request and stipulate as follows:

4 **WHEREAS**, Stardock filed a Notice of *Ex Parte* Motion and Motion for Temporary
5 Restraining Order and Order to Show Cause Why Preliminary Injunction Should Not Be Granted
6 on September 7, 2018 (“Preliminary Injunction Motion”);

7 **WHEREAS**, the Court, on September 10, 2018, issued an Order requesting the parties
8 meet and confer regarding: (a) interim relief precluding the filing of any further DMCA notices
9 pending resolution of the motion for preliminary injunction; and (b) a briefing schedule for the
10 motion for preliminary injunction (Dkt. 58);

11 **WHEREAS**, the parties met and conferred on these issues on September 10, 2018;

12 **REICHE/FORD AND STARDOCK HEREBY STIPULATE AS FOLLOWS:**

13 1. Reiche/Ford agree not to serve any further DMCA notice(s) directed to material
14 that is the subject of the present litigation, and in particular, the *Star Control: Origins* video game
15 that is scheduled to be released on September 20, 2018, pending resolution of the Preliminary
16 Injunction Motion;

17 2. The deadline for Reiche/Ford to file an opposition to Stardock’s Preliminary
18 Injunction Motion shall be Monday, September 17, 2018 by 12:00 p.m. PDT;

19 3. The deadline for Stardock to file a reply in support of its Preliminary Injunction
20 Motion shall be Friday, September 21, 2018 by 12:00 p.m. PDT;

21 Reiche/Ford request that the Court set any hearing on the Preliminary Injunction Motion as
22 soon as the Court’s calendar allows. Stardock has no objection to this request, but would also not
23 object to having the motion heard on October 10, 2018, the Court’s regular civil law and motion
24 date, if the Court feels that it needs more time to consider the important matters at issue in the
25 motion.

1 DATED: September 11, 2018

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation

2
3
4 By: /s/ Stephen C. Steinberg
Stephen C. Steinberg
5 Attorney for Defendants and Counter-Claimants
6 PAUL REICHE III and ROBERT FREDERICK
7 FORD
8

9 DATED: September 11, 2018

NIXON PEABODY LLP

10
11 By: /s/ Robert A. Weikert
12 Robert A. Weikert
13 Attorney for Plaintiff and Counter-Defendant
14 STARDOCK SYSTEMS, INC.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____, 2018

HON. SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

FILER'S ATTESTATION

I, Stephen C. Steinberg, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER REGARDING BRIEFING SCHEDULE. Concurrence in and authorization of the filing of this document has been obtained from Robert A. Weikert, counsel for plaintiff, and I shall maintain records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request by a party.

DATED: September 11, 2018

BARTKO ZANKEL BUNZEL & MILLER
A Professional Law Corporation

By: /s/ Stephen C. Steinberg
Stephen C. Steinberg
Attorneys for Reiche and Ford